

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	<b><u>DECLARATION OF</u></b>
- v. -	:	<b><u>JOHN J. RODRIGUEZ</u></b>
	:	
MICHAEL ACKERMAN,	:	20 Cr. 93 (LTS)
	:	
Defendant.	:	
	:	
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STATE OF NEW YORK	)	
COUNTY OF NEW YORK	: ss.:	
SOUTHERN DISTRICT OF NEW YORK	)	

JOHN J. RODRIGUEZ, under penalty of perjury, declares:

1. I am a Special Agent with Homeland Security Investigations (the “HSI”). I have been a Special Agent for 4 years and have conducted many fraud and money laundering investigations. I also took part in the investigation related to MICHAEL ACKERMAN.

2. I respectfully make this declaration in connection with the Government’s application for a Preliminary Order of Forfeiture as to Substitute Assets, as to the following property in which the Defendant has an ownership interest:

- a) \$217,926.18 in United States currency, formerly on deposit in Chase Bank Account 000000520600617 in the name of Michael Ackerman, which was seized by the Government on or about January 28, 2020; and
- b) any and all funds currently on deposit in Chase Bank Account 000000520600617 in the name of Michael Ackerman;

(the “Substitute Assets”).

3. From my review of the case file, I am familiar with the facts and circumstances of this forfeiture case. Because this declaration is being submitted for a limited

purpose, I have not included in it everything I know about this forfeiture case. Where the contents of documents and the actions, conversations, and statements of others are related herein, they are related in substance and in part.

### **The Indictment**

4. On or about February 3, 2020, MICHAEL ACKERMAN (the “Defendant”), was charged in a two-count Indictment, 20 Cr. 93 (LTS) (the “Indictment”), with wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2 (Count One), and money laundering, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(i) (Count Two).

5. The Indictment included a forfeiture allegation as to Count One of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), of any and all property, real and personal, which constitutes or is derived from proceeds traceable to the commission of the offense charged in Count One of the Indictment, and various specific assets.

6. The Indictment also included a substitute asset provision as to Count One of the Indictment, providing notice that if as a result of the Defendant’s actions or omissions forfeitable property is unable to be located or obtained, the United States will seek, pursuant to Title 21, United States Code, Section 853(p), the forfeiture of any other property of the Defendant.

7. On or about July 29, 2021, the Defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement with the Government wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), a sum of money equal to \$36,268,515 in United States currency,

representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Indictment, and all of his right, title and interest in various specific property (the “Specific Property”).

### **The Order of Forfeiture**

8. On or about September 8, 2020, the Court entered a Consent Preliminary Order of Forfeiture/Money Judgment (the “Order of Forfeiture”), imposing a money judgment against the Defendant in the amount of \$36,268,515 in United States currency (the “Money Judgment”), representing the amount of proceeds traceable to the offense charged in Count One of the Information that the Defendant personally obtained (D.E. 57) and ordering the forfeiture of all of the Defendant’s right title and interest in the Specific Property.

9. To date, the Money Judgment against the Defendant remains unpaid.

### **The Substitute Asset**

10. Since the date of the entry of the Order of Forfeiture, despite the exercise of due diligence in investigating the assets of the Defendant, the Government has been unable to locate the proceeds of the Defendant’s offenses, other than the Specific Property.

11. However, the United States has located additional assets in which the Defendant has an interest, specifically, the Substitute Assets.

12. I conducted an investigation into any other assets that the Defendant might have to satisfy the Money Judgment against him. In order to locate assets of the Defendant, I conducted searches utilizing the LEXISNEXIS Law Enforcement database. I performed a search of this database as recently as July 15, 2022. All asset searches I performed yielded negative results.

13. To date, the only assets of the Defendant that I have been able to locate, other than the Specific Property, is his interest in the Substitute Assets.

I declare under penalties of perjury that the foregoing is true and correct, pursuant to Title 28, United States Code, Section 1746.

Dated: New York, New York  
July 15, 2022

  
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JOHN J. RODRIGUEZ

Special Agent  
Homeland Security Investigations